

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 349 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

HAMIDABANU W/O. MOHAMMED SHAFIADAMBHAI MANSURI

Versus

IBRAHIMBHAI CHANDBHAI MANSURI

Appearance:

MR SK BUKHARI FOR MR AG MOMIN for Appellants

MR JB SONI FOR MR YATIN SONI for Respondent No.1to5

SERVED for Respondent No. 6

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 09/12/96

ORAL JUDGEMENT

1. Heard Mr. S.K. Bukhari for Mr.A.G.Momin, learned counsel for the appellants, and Mr. J.B. Soni learned counsel for respondents nos.1 to 5, respondent no.6 is absent though served and Mr. Barejia, learned counsel for respondents nos.7/1 to 7/8. As a result of the hearing, a consensus has been arrived at between the learned counsel for the respective parties. It is

accordingly directed that the suit pending in the trial court being of the year 1987, and the suit not having been stayed by any order of this Court, should be expeditiously proceeded with by the trial court and decided latest by 15th June, 1997. Learned counsel for the respective parties give an assurance that the respective parties shall cooperate with the trial court in the disposal the suit as directed.

2. In consonance with the said consensus, it is further directed that all parties to the suit shall maintain status-quo as to possession in respect of the properties in the possession of each party, and in respect of the properties which are the subject matter of dispute in the suit. This direction as to status-quo shall operate upto disposal of the suit or upto 15th June, 1997 whichever is earlier. If for whatever reason, the suit is not disposed off by the aforesaid date, it shall be open to the parties to apply to the trial court for such other interim relief as may be necessary, and the trial court shall in that case decide such application on merits and in accordance with law, also bearing in mind as to which of the parties have cooperated with the trial court in the disposal of the suit and which of the parties have not so cooperated.

3. In view of the aforesaid directions, no further orders are required on merits in the present appeal and the same is accordingly disposed off with no orders.

4. Direct service permitted.
